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Regulatory Studies Center

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Regulation Digest

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Bipartisan Policy Center

- [Evidence Works: Cases Where Evidence Meaningfully Informed Policy](#), June 11

Brookings Institution

- [Rulemaking and its discontents: Moving from principle to practice in federal privacy legislation](#), Cameron Kerry & Daniel Weitzner
- [For juvenile criminal records, privacy is too often a myth](#), Kwadwo Frimpong
- [Tracking deregulation in the Trump era](#), Updated

Cato Institute

- [Financial Inclusion: The Cato Summit on Financial Regulation](#), June 12

Agency Rulemaking Highlights

Automated Driving Rules

The National Highway Traffic Safety Administration and the Federal Motor Carrier Safety Administration both issued proposed rules on automated driving systems. NHTSA [seeks comments](#) to address compliance challenges for crash avoidance standards that either require manual control or specify the use of manual controls in test procedures. FMCSA [seeks comments](#) on regulations that may need to be amended, revised, or eliminated in order to equip commercial motor vehicles with automated driving systems. Comments due July 29 & August 26, respectively.

[International Agricultural Safeguards](#)

The Foreign Agricultural Service issued a notice of product coverage and trigger levels for safeguard measures provided for in the World Trade Organization Agreement on Agriculture. The list updates the quantity-based trigger levels for products that may be subject to import duties, such as beef, butter, ice cream, cheese, and sugars.

[Contact Lenses](#)

The Federal Trade Commission issued a supplemental notice of proposed rulemaking to review the commission's Contact Lens Rule. The FTC is proposing to require that prescribers obtain a signed acknowledgment after releasing a prescription and to keep records for no less than three years, and to permit

CAP

- [The SEC's New Regulation Best Interest Rule a 'Setback for Working Families'](#), Julia Cusick
- [Protecting America's Oceans](#), June 6
- [How Marine Protected Areas Help Fisheries and Ocean Ecosystems](#), Margaret Cooney, Miriam Goldstein & Emma Shapiro
- [12 Climate Wins From the National Environmental Policy Act](#), Christy Goldfuss, Sally Hardin & Marc Rehmann

CPR

- [Regulation as Social Justice](#), June 5
- [Getting Ready for Conference on Regulation as Social Justice](#), James Goodwin
- [Trump EPA Hiding Hundreds of Deaths in Plain View](#), Daniel Farber

CEI

- [Regulations Trump Administration Has Eliminated So Far in 2019](#), Wayne Crews
- [Will Antitrust End Trump's Deregulatory Push?](#), Wayne Crews
- [Trump EPA Crosses Important Threshold on Science Policy Reform; Greens Get Political](#), Angela Logomasini
- [Narrowly Address Fair Lending Requirements to Spare Impact on Small Business](#), Daniel Press
- [This Week in Ridiculous Regulations](#), Ryan Young

Federalist Society

- [LIBOR – Will a \\$200 Trillion Global Benchmark Disappear—or Not?](#), Teleforum
- [Litigation Update: Biestek v. Berryhill](#), Teleforum
- [Payday Lending Loans & Loan Shark Prevention Act](#), Podcasts
- [OSHA in 2019: A Review of What has Occurred and a Look Ahead](#), Teleforum

Free State Foundation

- [FCC's Proposed Update to Over-the-Air Device Rule Would Boost 5G](#), Seth Cooper
- [Competition and Consumer Protection in the 21st Century](#), Randy May & Seth Cooper

prescribers to comply with automatic prescription release via electronic delivery.

Import Duties on Chinese Products

The Office of the US Trade Representative issued a notice to grant additional exclusion requests to the July 2018 imposition of additional duties on technology transfers, intellectual property, and innovation from China with an annual trade value of ~\$34B.

PACE Rule

The Centers for Medicare & Medicaid Services issued a final rule updating the requirements for the Programs of All-Inclusive Care for the Elderly. The rule addresses application and waiver procedures, sanctions, enforcement actions and termination, administrative requirements, PACE services, participant rights, quality assessment and performance improvement, participant enrollment and disenrollment, payment, federal and state monitoring, data collection, record maintenance, and reporting.

EPA Priorities List

The Environmental Protection Agency issued a proposed rule that includes the National Oil and Hazardous Substance Pollution Contingency Plan's list of national priorities among the known releases or threatened releases of hazardous substances, pollutants or contaminants throughout the US. The list includes two proposed General Superfund sites in Illinois & New York.

AI Standards

The National Institute of Standards & Technology has extended the comment period on the agency's Request for Information on Artificial Intelligence Standards until June 10.

In Opinion

- [Richard Revesz: The Trump Administration Might Be Too Incompetent to Undermine Environmental Regulations](#)
- [Editorial: Bills Would Ensure More Accountability Regarding Federal Regulations](#)
- [Ramesh Ponnuru: What Facebook Can Do to Avoid Regulation](#)
- [Kara Swisher: The People Screaming for Blood Have No Idea How Tech Actually Works](#)
- [Harvey L. Pitt: The SEC's Creative Regulatory Fix](#)
- [Todd Zywicki: The Sanders-AOC Protection for Loan Sharks Act](#)
- [James Pethokoukis: Why Nancy Pelosi's Attack on Facebook is Dangerous](#)
- [Ian Jefferies: Federal Decision on Rail Staffing Sends Clear Sign to State and Federal Lawmakers](#)
- [Clyde Wayne Crews: Trump's Regulatory Reform Agenda By The Numbers \(Summer 2019 Update\)](#)

GAO

- [Face Recognition Technology](#)
- [Renewable Fuel Standard](#)

Heritage Foundation

- [The Trump Administration Can Make Housing More Affordable](#), Norbert Michel
- [The SEC, Entrepreneurship, FinTech and the Economy](#), June 25

Inst. for Policy Integrity

- [The Safer Affordable Fuel-Efficient \(SAFE\) Vehicles Rule](#), Bethany Davis Noll, et. al.

Mercatus Center

- [The Importance of Balancing Privacy with Innovation, Consumer Benefits, and Other Rights in the FTC's Approach to Consumer Data Privacy](#), Jennifer Huddleston
- [Will SEC Regulation Best Interest Protect Investors?](#), D. Bruce Johnson
- [HUD Does Not Need to Target Opportunity Zones](#), Salim Furth

Public Citizen

- [A Forum on the Need for Privacy and Data Protection Laws in the U.S. - How should the U.S. approach data and privacy protection?](#), June 5
- [A Red Herring on Privacy](#), Griet Van Acker

RFF

- [Lessons from the Clean Air Act](#), June 10
- [The Future of United States Carbon-Pricing Policy](#), Robert Stavins
- [Addressing the Urgency of More Stringent Climate Change Policy](#), Lawrence Goulder

SBCA

- [The Costs and Benefits of Deregulation](#), Bethany Davis Noll

The Regulatory Review

- [Assessing Agency Procedure](#), Aaron Nielson
- [Hurdles in Building Public-Private Partnerships](#), Todd Rubin
- [Recusal Rules for Administrative Adjudicators](#), Louis Virelli III

- **Michael Lemov:** [Selling Out Public Safety](#)
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- **Josh Epstein:** [Bring on Regulation to Protect Consumers, Build More Trust in Hemp Industry](#)
- **Kelly White:** [A New Standard Is Emerging In Cybersecurity Regulations](#)
- **Allysia Finley:** [A Flood of Regulations Threatens to Leave California Dry](#)

In the News

Congress & Regulatory Reform

[The Lawmakers to Watch as Congress Confronts Big Tech](#), *Wall Street Journal*

[Yogurt Makers, Ranchers Winners in White House Rule Agenda](#), *Bloomberg*

[Mulvaney Tightens Grip on Labor Chief After Trump Allies Grumble](#), *Bloomberg*

[Democratic hopes for climate policy may come down to this one weird Senate trick](#), *Vox*

[OPM-GSA Merger Could Cause Regulatory Bottleneck, Legal Challenges](#), *NextGov*

[Appropriators push Trump to abandon clean car rollback](#), *E&E News*

Financial Markets & Housing

[Wall Street Broker Conflict Rules Approved by Divided SEC](#), *Bloomberg*

[Reading between the lines of CFPB's regulatory to-do list](#), *American Banker*

[CFPB Eyes More Work On Biz Lending Data Rules Amid Suit](#), *Law 360*

[Fed's Quarles: Regulatory Tools Better Suited Than Interest Rates to Promote Financial Stability](#), *Wall Street Journal*

Energy & Environment

[84 Environmental Rules on the Way Out Under Trump](#), *New York Times*

[Startups strive to recycle emissions for 'new carbon economy'](#), *Reuters*

[Trump admin to issue first-ever emissions limits for planes](#), *Climatewire*

[EPA Lets Some Particle Pollution Sources Skip Air Controls](#), *Bloomberg*

[Green New Deal is alive and well in liberal cities and states](#), *Washington Post*

[Court sides with WOTUS foes as legal fight gets messier](#), *Greenwire*

[Court allows Interior to revise climate reviews](#), *Energywire*

[Commerce puts regulations on the chopping block](#), *Greenwire*

- Curbing Ticket Bots, Patricia Liverpool
- Supreme Court Examines Liquor Retail Regulations, Nicholas Bellos
- Public Engagement in Rulemaking, Michael Sant'Ambrogio & Glen Staszewski

Various Sources

- Reducing Regulatory Overlap in the 21st Century, Business Roundtable
- Reference Case Guidelines for Benefit-Cost Analysis in Global Health and Development, Lisa A. Robinson (Harvard)

Washington Legal Fdn.

- Four Things to Watch in Kisor v. Wilkie, Corbin Barthold
- Justice Dept. Updates Guidance on Evaluation of Corporate Compliance Programs, Greg Bower & Stanley Garnett
- SCOTUS Places Another Limitation on Chevron Deference, Arthur Sapper & Gwendolyn Nightengale

Yale Journal on Reg.

- Two Regulatory Reform Bills Introduced, Bridget Dooling
- Rearguing Chevron v. NRDC, Chris Walker
- A Concluding Post on Federal Agency Guidance and the Power to Bind, Nicholas Parrillo

ACUS

- 71st Plenary Session, June 13
- Accessing Agency Procedure, Aaron Nielson
- Improving Regulations.gov, Cary Coglianese & Todd Rubin

American Action Forum

- A Proposed Rule Kind Of Week, Dan Goldbeck & Dan Bosch
- Even with New Reforms, the RFS is a Costly Policy, Philip Rossetti
- Math and Climate Policy, Doug Holtz-Eakin

AEI

- Privacy and other values that go by that name, Jim Harper
- Should the FCC cap spending on universal service?, Mark Jamison

Health & Safety

Latest OSHA reg agenda shows movement on beryllium standard, no change to workplace violence prevention, *Safety & Health*

FDA food sampling finds PFAS contamination in meat, cake, *Greenwire*

FDA's First Hearing on CBD Opens a Path to Regulation, *Regulatory Focus*

Business

Business Roundtable Sees Need for U.S. Regulatory Reform, *Bloomberg*

Justice Department Opens Formal Review of Music-Licensing Rules, *Wall Street Journal*

Hydrogen-Power Electric Flying Vehicle Unveiled in Newbury Park, But Regulations Still Stand in the Way of Liftoff, *KTLA-5*

Apple Touts New Privacy Features as Potential Regulation Looms, *The Street*

Congress, Enforcement Agencies Target Tech, *Wall Street Journal*

Technology

One year later, EU privacy law faces tough questions, *The Hill*

Advisory committee seeks significant changes in proposed commercial remote sensing regulations, *Space News*

Grid overseer calls for tighter supply chain rules, *Energywire*

California 'anti-eavesdropping' bill seeks to regulate smart speakers, *USA Today*

Astronomers Call for Regulation of SpaceX Starlink Satellites, *Futurism*

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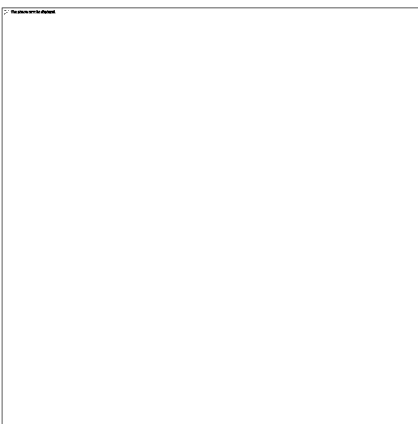
- Gundy v. US could signal a major change in SCOTUS' separation of powers jurisprudence, Peter Wallison
- Securing the digital frontier: Policies to encourage digital privacy, data security, and open-ended innovation, Bret Swanson
- Washington's War on Big Tech: Must there be a Google?, James Pethokoukis

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